

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

FARMANULLAH KHAN,

Plaintiff,

v.

TERESA ANN BIRCHFIELD KHAN,

Defendant.

CASE NO. 3:22-cv-05866-RJB

ORDER DISMISSING CASE
WITHOUT PREJUDICE

This matter comes before the Court *sua sponte* on review of the record. The Court has considered the record and is fully advised.

Now pending before the Court is a Petition for Return of Children. Dkt. 3. In this Petition, the Petitioner requests the return of his children from the State of Washington to Pakistan pursuant to the Hague Convention on the Civil Aspects of International Child Abduction and the International Child Abduction Remedies Act, 22 U.S.C. §§ 9001, *et seq. Id.*

On November 15, 2022, an Order was issued requiring the Respondent and her three minor children to appear for a December 5, 2022 show cause hearing regarding the

1 Petition. Dkt. 5. That Order also directed the U.S. Marshal Service to serve a copy of the Order,
2 the Petition, and a summons on her at the address provided by the Petitioner. *Id.* On November
3 18, 2022, the U.S. Marshal Service attempted service on Respondent and was informed that the
4 Respondent no longer lived at that address. Petitioner did not provide any other address for the
5 Respondent.

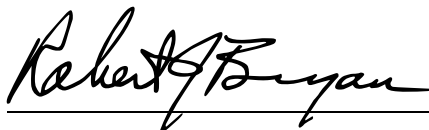
6 On November 21, 2023, the Court ordered the December 5, 2022 hearing stricken. Dkt.
7 7. The Petitioner was informed that he had 90 days to provide the Court with an updated address
8 for the Respondent as long as that address was within this Court's judicial district. *Id.* He was
9 further informed that failure to update the address within 90 days may result in dismissal of the
10 Petition without prejudice. *Id.*

11 Over 90 days have lapsed and the Petitioner has not provided the Court with an updated
12 address for the Respondent. This case should be dismissed without prejudice.

13 **IT IS SO ORDERED.**

14 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
15 to any party appearing pro se at said party's last known address.

16 Dated this 22nd day of February, 2023.

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19 ROBERT J. BRYAN
20 United States District Judge
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